
OLR Bill Analysis

sSB 1119

AN ACT CONCERNING LICENSING AGREEMENTS OF THE DEPARTMENT OF PUBLIC WORKS, THE PREQUALIFICATION OF BIDDERS AND BID PROTESTS.

SUMMARY:

By law, with certain exceptions, contracts for the construction, reconstruction, alteration, remodeling, repair, or demolition of a public building or other public work that are estimated to cost more than \$500,000 must be awarded through competitive bidding to the lowest responsible prequalified bidder. This bill allows a contractor or subcontractor whose prequalification certificate is revoked, denied, or not renewed while a project is in progress to continue working on the project if the awarding authority makes a written determination that (1) it is in the best interests of the state or municipality and (2) there is good cause for doing so. This determination must also be included in the awarding authority's report to the governor and legislature on the status of certain construction projects and property management contracts.

The bill also allows the Department of Public Works (DPW) to license land or land interests granting temporary access to state property for certain purposes, including space on major pedestrian access levels and courtyards, rooftops, and other areas of public buildings. It requires DPW to (1) establish licensing fees comparable to prevailing fees for comparable commercial space and (2) deposit such fees in the General Fund. It also allows the licensing agreements to be entered into without competitive bidding. Under current law, unchanged by the bill, DPW has the authority to lease such property and establish a rental fee.

If the license is for six months or more, DPW must provide the affected municipality with at least two weeks' written notice and

forward a copy of the agreement to the municipality's board of assessors. However, the notice provisions do not apply if DPW grants the licensee access to state-owned property to study, investigate, or work on the property or structures on it.

Lastly, the bill specifies that only a general bidder may file a claim with DPW protesting a contract award. Under current law, any party whose financial interests may be affected by the award can file a claim.

EFFECTIVE DATE: October 1, 2011

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15 Nay 0 (03/23/2011)